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PUBLIC MATTER

FILED

FEB 05 2019

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:

SERGIO J. LOPEZ DE TIRADO,
No. 259288,

A Member of the State Bar.

) Case No. 18-O-18422

) NOTICE OF DISCIPLINARY CHARGES

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
THE STATE BAR COURT TRIAL:

- (1) YOUR DEFAULT WILL BE ENTERED;
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
AND THE DEFAULT IS SET ASIDE, AND;
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Sergio J. Lopez de Tirado ("respondent") was admitted to the practice of law in the
4 State of California on December 2, 2008, was a member at all times pertinent to these charges,
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 18-O-18422
8 Business and Professions Code section 6068(k)
[Failure to Comply with Conditions of Probation]

9 2. Respondent failed to comply with conditions attached to respondent's disciplinary
10 probation in State Bar Case numbers 11-C-16667 and 14-O-02859, in willful violation of
11 Business and Professions Code section 6068(k) as follows:

- 12 A. Failing to submit timely Quarterly Reports, including reports due on or before
13 April 10, 2017, October 10, 2017, and April 10, 2018;
- 14 B. Failing to make restitution and/or provide proof of making restitution to Gail
15 Hickman, including resitution for the months of October 2017, January 2018,
16 May 2018, and from September 2018 through the present;
- 17 C. Failing to make restitution and/or provide proof of making restitution to Susan
18 Noe, including restitution for the months of October 2017 and for September
19 2018 through the present;
- 20 D. Failing to provide satisfactory proof of restitution to the Office of Probation for
21 restitution entitled to Gail Hickman and Susan Noe, including proof for the
22 months of July 2016, April 2017, July 2017, August 2017, September 2017,
23 October 2017, January 2018, April 2018, May 2018, July 2018, and September
24 2018 to the present;
- 25 E. Failing to timely provide restitution to Gail Hickman for the months of August
26 2017, February 2018, April 2018, July 2018, and August 2018; and
27
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1 F. Failing to timely provide restitution to Susan Noe for the months of January
2 2018, February 2018, July 2018, and August 2018.

3 **NOTICE - INACTIVE ENROLLMENT!**

4 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
5 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
6 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
7 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
8 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
9 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
10 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
11 **RECOMMENDED BY THE COURT.**

12 **NOTICE - COST ASSESSMENT!**

13 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC**
14 **DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS**
15 **INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING**
16 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**
17 **PROFESSIONS CODE SECTION 6086.10.**

18 Respectfully submitted,

19 THE STATE BAR OF CALIFORNIA
20 OFFICE OF CHIEF TRIAL COUNSEL

21 DATED: February 4, 2019

22 By: 
23 Roy Kim
24 Deputy Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): **18-O-18422**

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017-2515, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

☐

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))

- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

☒

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

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By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

☐

By Fax Transmission: (CCP §§ 1013(e) and 1013(f))

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

☐

By Electronic Service: (CCP § 1010.6)

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: *(see below)*

☒

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: **9414-7266-9904-2111-0161-80** at Los Angeles, addressed to: *(see below)*

☐

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: _____ addressed to: *(see below)*

| Person Served | Business-Residential Address | Fax Number Electronic Address | Courtesy Copy To: |
|---------------------------|---|----------------------------------|-------------------|
| Sergio J. Lopez de Tirado | 7056 Archibald Ave., Ste. 102-143 Corona, CA 92880 | | |

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: February 5, 2019

SIGNED: _____

Kathi Palacios
Declarant